



# OSHA Regional News Release

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**U.S. Department of Labor  
Office of Public Affairs**

**Region 2**

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**US Labor Department's OSHA cites Albany, NY, contractor  
for failing to provide cave-in protection at local jobsite  
*Crisafulli Brothers Plumbing and Heating Contractors faces \$50,400 in fines***

**ALBANY, N.Y.** – The U.S. Department of Labor's Occupational Safety and Health Administration has cited an Albany contractor for allegedly failing to provide cave-in protection for its workers who were repairing a sewer line at 5 Rosemont St.

Crisafulli Brothers Plumbing and Heating Contractors Inc. faces a proposed fine of \$50,400 after an OSHA inspection found its employees working in a 10 to 13-foot-deep straight-walled trench that lacked protection against a collapse of its sidewalls onto the workers.

As a result of its findings, OSHA issued the contractor one willful citation for the unprotected trench. A willful violation exists when an employer has demonstrated either an intentional disregard for the requirements of the law or plain indifference to employee safety and health.

"The sizable fine issued here reflects the gravity of this potentially deadly condition and the employer's knowledge of and failure to correct it," said Edward Jerome, OSHA's area director in Albany. "An unprotected trench can become a prison or a grave in seconds if its walls cave in on workers. Employers should never allow their employees into a trench until it has been effectively protected against collapse."

OSHA standards require that all trenches and excavations 5 feet or deeper be protected against collapse. Detailed information on hazards and safeguards related to trenching and excavation is available online at <http://www.osha.gov/SLTC/trenchingexcavation/index.html>.

"One means of eliminating recurring hazards such as these is for employers to establish an injury and illness prevention program in which workers and management jointly work to identify and eliminate hazardous conditions on a continual basis," said Robert Kulick, OSHA's regional administrator in New



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York.

Crisafulli Brothers has 15 business days from receipt of its citations and proposed penalties to comply, meet with the OSHA area director or contest the findings before the independent Occupational Safety and Health Review Commission. This inspection was conducted by OSHA's Albany Area Office; telephone 518-464-4338. To report workplace incidents, fatalities or situations posing imminent danger to workers, call the agency's toll-free hotline at 800-321-OSHA (6742).

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://www.osha.gov>.